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through each group of full brothers, until, when the last full brother is dead, and the son of the eldest is an adult, the family stock comes to him. Thus few men under forty (other than chiefs) have more than one wife. Of 3,000 tax-payers (presumed to be 18 years and over) in Selya, 34 per cent were bachelors, 37 per cent monogamists, and 29 per cent polygynists. Plural marriages breed wealth, for the polygynist is likely to command the labour of many sons as well as several wives, and in due course he expects to receive the marriage cattle of many daughters.

Social status turns primarily on age, sex, and the control and distribution of wealth. As we have seen, the position of a chief is hereditary, but kinship with a chief does not carry office, nor are the kinsmen of chiefs conspicuously wealthy. Every man in turn hopes to control the property attaching to the house into which he was born, and all who live long enough do so. But there is a delayed right of primogeniture, for the senior son of a senior son inherits the bulk of the family stock when it passes to his generation, and the eldest of each group of full brothers has a special claim to the cattle coming in from the marriages of his sisters.

Seniority, whether within the context of the lineage, or of the hierarchy of age-villages, is something respected in itself, but wealth carries authority and prestige only in so far as it is used generously, in hospitality: one man is great and distinguished (*nsiya*) because he feeds people, another of little account because he is poor or mean.

Women occupy a position very subordinate to men in Nyakyusa society. They play no part in public life, except in so far as the two great wives of a chief, and the first wife of a village headman co-operate with their husbands in rituals; and in the relationship of husband and wife, as well as in that of father and daughter, a woman is expected to show obedience and respect. Her deference is expressed conventionally in her crouching to greet men (*vide* Plate IX), and in her use of the submissive *tee* ('Yes, my lord') when addressed by them. Having no great chiefs and little regard for rank, Nyakyusa men show no trace of subservience in their manner to each other, but they expect a meek compliance from all women. The only relationships with a male in which a woman may in some measure assert herself are those which she has with a brother, and with a brother's sons. Leader-

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time, and providing meat feasts at funerals and at the initiation and marriage of daughters.

As it is proper for men to eat with their equals it is improper for them to eat with their juniors, or with women. In the past fathers and sons never ate or drank together. Nowadays they sometimes do so, even though conservative pagans, especially if the fathers and sons have been working together. Three reasons are adduced for the change: first, the example of Europeans and Swahili; secondly, the fact that the country is at peace and it is safe for all the men to drink together, whereas formerly, when there was constant danger of attack, the young men were forbidden to drink at all; and thirdly the fact that young men earn money and buy beer for themselves which they may invite a 'father' to share (*vide* Document p. 194). When the Nyakyusa drink beer they replenish the pot repeatedly with boiling water, and men expect to have the water boiled for them by a woman. As Mwambuputa explained, 'Sometimes my son brings his pot (of beer) to my place and calls his friends saying: "We will take the pot to mother's house and she will pour in water for us." Then they come to my place, and they invite me to drink, and I accept, and we drink together. How can I grudge my son beer when I have some? Did he and his friends not entertain me?' The change turns on the fact that a young man can earn money and buy beer for himself while yet unmarried. Formerly no unmarried man commanded millet for brewing. Now, when he is drinking in his father's homestead he cannot but invite his father to join him.

Women commonly eat alone with their young children and unmarried daughters. Sometimes co-wives who are good friends eat together, but they have no obligation to do so, and in a big homestead perhaps only two wives will eat together and each of the others eat alone. More usually a woman sends a dish of food to each co-wife to eat in her own hut. For a woman to eat food with a man is considered quite impossible. In those families in which men no longer ate with neighbours one or two ate with their young sons, but we heard of none who ate with their wives. The example of Europeans did not influence them to this extent.

It is admitted that women also enjoy company and profit from it, and it is considered good that they should get on with their fellows, but there is no suggestion that it is a woman's duty to

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then if the father says his son has done wrong his neighbours reply: "You have caused him to do wrong yourself. Did you suppose him to be a boy that you did not provide marriage-cattle for him?" Then the father becomes more ready to pay damages for his son.' And again, 'If a young man finds that his father objects to his marrying the girl he loves, he complains to his father's neighbours (*pamafumu abapalamani ba gwise*). Then they discuss the matter and say to the father: "Do you want him to teach you a lesson by taking a chief's wife or daughter, for whom many cattle must be given?" So the father agrees.'

Neighbours are concerned, too, to see a fair distribution of a deceased fellow's estate, and the fulfilment of the heir's obligations to his wards. 'It is not the relatives, but "the fathers of the village" who watch over a young boy's interests when his father is dead' (*vide infra*, p. 106). We listened to one discussion of a quarrel over inheritance which was believed to have led to kinsmen working sorcery against each other. At this discussion four village neighbours of the sick man (thought to be suffering from the sorcery of his father's brother's son), as well as ten relatives, attended.

The father's neighbours are also asked to mediate when a son has wronged his father and seeks forgiveness. For example, Mwangobola's son had committed adultery with his father's wife. He paid six head of cattle and then went off to the coast, where he remained a long time. When he returned he brought two cows and approached his father's neighbours, asking them to take the cows to his father. When they took the cows his father said: 'He must find a bull as well, and brew beer, because he is my eldest son.' So he got a bull and brewed beer, and the father also brewed. 'Then', said the old man who reported the case, 'the fathers of the village came together and the bull was killed and they ate the meat and drank the beer. . . . Thus the son made friends with his father.'

Here we have the ritual of reconciliation between relatives in which neighbours of the senior must participate, for their anger is held to be as dangerous to the junior as that of his senior relative. Informal giving of advice merges into the practice of arbitration, and of murmuring against a wrong-doer, and thus, it is thought, causing him misfortune. These latter practices are discussed in ensuing chapters.

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ments and fine clothes, or a splendid herd of cattle—all these are forms of *ukumoga*.

Traditionally Nyakyusa women wore only a bark-cloth belt tied around the waist and drawn between the legs to fall in streamers in front (cf. Plate XIII), and the pagan women cling to this dress, maintaining that it is only 'Swahili women with dirty diseases' who have to wear clothes to cover their sores, and if a pagan woman has a cloth she will probably wave it like a flag or hang it over one shoulder, when she dances. Except for the Christians, few Nyakyusa women regularly wear clothes. The Christians like a brightly coloured cloth tied under the armpits, and hanging to the knees (cf. Plate IX). Women make their own bark-cloths with great care, and decorate them with geometrical patterns in red and black, the red dye being imported from the Livingstone mountains; they mix this same dye with a fatty ointment made from the seeds of the *unsyunguti* tree, and rub it all over themselves. The most prized ornament (worn by both sexes) are body rings of coiled brass or copper wire (cf. Plate XIII). In the past men went naked except for these body rings[1] but, unlike the women, they have taken enthusiastically to clothes, and swagger around in brilliant loin-cloths or flowing white togas; or, if rather more sophisticated, in freshly pressed shorts and shirts, or lounge suits and topees.

The series of ceremonies at a girl's initiation and marriage, and at a funeral, are regular occasions for dancing, and the birth and death rates are so high that these occur very frequently within a chiefdom of 3,000 men. Once in a generation the eagerly anticipated 'coming out' ceremony offers an even greater opportunity for display. Skill in dancing is admired and the young people are encouraged to practise. A bride's mother does a great deal of the heavy work for her daughter, saying '*amoge tasi*', which means literally 'let her display herself first', and implies 'let her have a good time while she can'; and a father may use the same phrase of his son. Angombwike explained: 'The old men used to take great pride in their sons; often a man would say to his son: "Don't you hoe for me, I'll do the hoeing myself, you go and swagger about." Sometimes a man would sell a cow and buy a huge-bladed spear and give it to his son. Then, if he heard that his son

[1] cf. Elton, *op. cit.*, p. 322; H. H. Johnston, *British Central Africa*, p. 18.

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was a fierce man in war, and always quarrelling with and spearing his fellows, he would say with pride: "He is my son!" And if he heard people saying: "The son of so and so is a fierce man", he would rejoice. And if the son wished to marry young his father would refuse him cows, saying: "Swagger first." That truculence (*ubukali*) is a form of swaggering for men, is still evident in the funeral dance, when men charge up and down with spears, displaying their strength, and take umbrage at the slightest thing (*vide infra*, p. 151). And marriage was deliberately delayed partly because a bachelor was thought to be a fiercer warrior than a married man.

This admiration of truculence, as shown in the funeral dance, reveals a contradiction in Nyakyusa values. On the one hand urbanity and good temper are praised—they are intrinsic to *ukwangala*—on the other truculence. Is the opposition one between old and new values, or is the contradiction itself traditional? It is obvious that a readiness to fight was a quality valuable to the village in the days of inter-village warfare, and the Nyakyusa tell of murderers and even thieves being reprieved just because they were so useful in war. 'We did not drive away violent men (*abagasi*) in the old days; we said: "They will fight along with us in the future" '; whereas since the pacification of the country, quarrelsome men have become nothing but a liability, likely to get their fellows and their chief into trouble with the Administration. The Christian emphasis, also, is all on the virtue of peaceableness. There has probably been some change in values with the disappearance of war from the villages, but we think that a certain contradiction always existed: swaggering young men were admired, and children were warned not to be quarrelsome (*nkali*) towards their fellows, lest they be accused of practising witchcraft, or rouse the anger of a witch. The contradiction is not, of course, peculiar to Nyakyusa society, and it may be resolved by defining the groups within which fighting is excluded, and those in which it is approved. Most Nyakyusa would hold that in the old days quarrelsomeness within the village was bad, that towards members of another village of the same chiefdom it was allowable, and towards members of another chiefdom it was good. In the wider society of to-day the same distinctions are apparent: the war dance at funerals is limited lest it lead to fighting between villages (*vide infra*, p. 151) but admir-

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587 835 woman. It is scarcely surprising that the seduction of the young wives of an ageing father is a common theme for scandal. We do not suggest that the Oedipus complex involving own mother and son never occurs among the Nyakyusa; what we are concerned to show is that the relationship between a man and his stepmothers is particularly likely to be ambivalent.

593 584 It may be asked why there is so much emphasis on the segregation of sons from their parents, and not of daughters. The answer again lies in the sex difference in the marriage age. Betrothed girls pay long visits to their husbands even before puberty, and directly after the initiation which follows first menstruation they leave their fathers' home to join their husbands. During her initiation a girl carefully avoids her father and his contemporaries in the village, and after marriage, when she returns home to visit, she must observe certain restrictions not applicable to an unmarried girl: notably she must not approach her parents' bed, and informants interpret the taboo as being due to the danger of mixing the sex activities of mother and daughter.

621 835 In short, we argue that there is a connection between the existence of age-villages and the fear of incest between father-in-law and daughter-in-law on the one hand, and between stepson and stepmother on the other, and we suggest that certain features of the Nyakyusa social system facilitate incest of the second type. The incest theme elaborated in one fashion among people organized in clans and practising clan exogamy, and in another among people practising brother—sister avoidance, finds yet a different expression in age-villages, of which the overt purpose is the separation of sons and mothers, of fathers-in-law and daughters-in-law.

c. Good company

577 621 The emphasis on the separation of parents and children is matched by the value laid on good fellowship (*ukwangala*) between contemporaries. A main end of age-villages, in the Nyakyusa view, is to allow men the enjoyment of congenial company, that is the company of friends and equals. The value of *ukwangala* is, indeed, directly linked with the age-village organization: to attain it men must build not only in villages, rather than in scattered homesteads, but also with contemporaries rather than with kin, since there can be no free and easy inter-

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like activities; things which are felt to be alike are often felt to be antagonistic. We have shown that certain of the pregnancy taboos are interpreted in terms of the opposition between seed in plants and seed in the womb, and between pumpkins in the field and pumpkins in the vagina, and we have touched on the opposition between procreation and war. Sexual intercourse, 'the war of the mats', is directly compared with war; the two are felt to be alike and therefore incompatible. Association with a menstruating or parturient woman is felt to be weakening to a warrior; continence of a warrior before battle is enjoined—'men feared to die quickly if they slept with their wives just before war.' Moreover, a menstruating wife never touches her husband's weapons lest they be weakened.

Hunting is classed with war and the same taboos apply. Added to them is the notion that, since a pregnant woman is often angry, the animals her husband hunts will be angry also, and he is in much greater danger than an ordinary hunter.

ANGOMBWIKE: If you go into the bush and you have left your wife heavy, at home, if you meet a lion it will not run off, but will injure you, maul you. And if you are many, a leopard or a lion will attack you, the heavy one, not the others.

QUESTION: Why?

ANGOMBWIKE: It is as if there was much anger. And we've noticed something else, if a lion attacks cattle it always attacks a cow in calf. And another thing. If a woman is heavy she is very bad-tempered (*nkali*), it's like a passion. Perhaps the woman is bad-tempered or perhaps good, and you, the husband, are bad-tempered. Pregnancy shows in many ways. . . .

A pregnant woman has a great fire in her body, she sweats a lot and is passionate (*nelyojo*), she is fierce (*nkali*). That fire is strong; we all flee from the woman, we all dislike her. And when pregnancy begins the animals in the bush wish to kill you, the husband. That fierceness [the fire] makes them hate you; you are like a twin. A first-born child is very fierce (*nkali*), so a woman is very passionate and sweats a great deal.

His wife's pregnancy puts a man in danger from wild animals, and so does a quarrel with her, quite apart from the pregnancy which tends to produce such quarrels. Mwaisumo said: 'If I go hunting after quarrelling with my wife it is very dangerous, I might be killed by a wild animal.'

Besides the idea that animals will *attack* the husband of a preg-

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754 man. Women murmur but it only makes them sick themselves
775 [laughter]. But my father's sister (*unnasenga*) can murmur, she is a man like my father. . . . If my mother is old and I do not care for her she will murmur and fall sick herself, she will never make me sick. My mother is no relative in my homestead, she is no relative to the shades.

However, Mwakwelebeja (a very old and conservative man) held that 'People sometimes say: "My mother beneath is angry" though it's not common', and Kasitile was quite positive that a mother was also a shade with power to inflict misfortune, as the following conversation shows:

QUESTION: What shades influence a man or woman?

KASITILE AND HIS YOUNGEST WIFE: *Imindu* of father is there, and *imindu* of mother. Yes, indeed, *imindu* of mother exists. Once I had not put beer in the house and I fell ill. The divination said: 'It is *imindu* of your mother. She is angry not to find anything in your house.' Because we chiefs always put beer in a little calabash in the house, it stays there always.

QUESTION: When it goes bad?

KASITILE: We put some more. There is a little millet flour there now. Sometimes we put flour, sometimes beer. And when I come to die they bury beer with me. . . . Once the offering was not there, and my mother who was dead came to look and did not find anything. Then she went to father, who was dead, and said: 'I went to our child. His house was without anything.' Then father said: 'Let us go and look!' They did not find anything, then they shook me up. Then the oracle said: 'It is the *imindu* of your mother.'

QUESTION: And a wife?

KASITILE: Both her father and her mother punish [lit. hit] her at their place, even though she is with me, also they punish her.

QUESTION: But your shades?

KASITILE: How can they punish in-laws? They do not punish her, but the child whom she has borne, their grandchild, him they punish.

●[593] Though Kasitile and others denied that the husband's shades could punish a wife, nevertheless she suffers from their anger through the child, through a difficult labour, or through the beer she brews going bad.

578 PYAGILAMO: It is said that when a woman who has quarrelled with
775 her husband is brewing beer and it goes bad, that means the shades are angry. The shades of the husband have made the beer go bad. The husband has murmured and the shades have heard. When a wife is
[845] pregnant it is taboo for her to quarrel with her husband; she will have a difficult labour. The husband murmurs and the shades hear. The

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787 The diviner does not divine by himself, but he who goes to inquire of him says: 'Perhaps it is so-and-so who is angry, perhaps it is so-and-so because I did not give him such and such a thing, perhaps it is so-and-so, I have heard a rumour that he is angry.' Then if he mentions someone whom the diviner has also heard say that he is angry because his brother has not given him something, the diviner assents, saying: 'Yes, it is that.'

783 MWAISELAGE (a middle-aged pagan): When I inherited from Mwakisisile, my elder brother, I was just about puberty, and my senior brother [i.e. half-brother], Mwakasoule, took me to his place with all the wives, to bring me up. He was there in Mwangomo's country. I went to his home and two years running I hoed millet and it refused to grow. Then my sister said: 'Consult an oracle and see why it is.' So I went to the diviner who said: 'Your elder brother is angry because you left his grave, because you do not sweep his grave.' So I asked what to do and he told me to get millet and brew beer. So I brewed beer and left a little in a calabash overnight in the banana grove, and prayed with water. Also I left a cock. I killed a cock because I had no bull, and I left all the meat there also overnight. Then the next day the children, Angombwike and others [Angombwike was a son of the deceased] drank the beer and ate the cock. They ate all the cock, and took the first drink of the beer, and I finished it off. The diviner had told me to let the children begin first. Then next year the millet was very plentiful. I never did it again because I have never had trouble over food. If the crops had not grown I would have done it again.

593 783 AMBILIKILE (a Christian teacher): When I was a boy my mother's brother once went to fish and caught two fish in his trap. He gave them to two of his wives, the third being absent. When she came back she was angry, saying: 'They have stinted me of food'. For a long time after that he found no fish in his traps. At last he consulted an oracle. The oracle attributed it to the third wife, because she had been angry. People said that she had been angry, and that the shades of her husband were angry too, and had stopped the fish entering the trap. So my mother's brother went to the wife and said: 'The oracle attributed it to you, were you angry?' She admitted it, saying: 'I was angry, but now I am satisfied. It's all right.' So then my mother's brother took his calabash cup and went in the evening to the banana grove and prayed with water. Next morning, before noon, when men always go to examine the fish traps, he found his traps full and overflowing with fish: they were leaping about inside. Indeed, it was very remarkable. I was there, for I grew up at my mother's brother's home.

Yes, the shades hear wives, though wives never pray to them; they listen to their anger.

The first catch after such a prayer is offered to the shades.

783 MWANDISI: The fish, when they have been cooked, remain overnight

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misfortune and the rituals are distinct. In theory, when the shades are angry the essential offering is that made in the sacred banana grove or on the hearth; it is eaten by the grandsons of the most recently dead, and whether neighbours partake or not depends upon the generosity of the officiant; whereas when neighbours are angry there is no offering in the grove or at the hearth, the neighbours are feasted, admit anger and express forgiveness.

However, neighbours are slow to admit responsibility (for to curse someone comes close to witchcraft) and in some cases there is both a formal feast for the neighbours and a prayer to the shades, and it is left uncertain where final responsibility rests. The following texts illustrate this:

MWAIKAMBO: It is the custom among us Nyakyusa to marry many wives, mature ones and young ones, so if a man has sons at his home it sometimes happens that one of them makes love to one of his father's wives. Perhaps they commit adultery in secret, perhaps he runs off with her to a distant chiefdom. Then the father breaks off relations with him.

The son, wherever he is, learns that he has been cursed by his father and his body becomes like goose flesh. If the son is wise he gathers his property and returns to his father. He takes a friend with him and goes into the house of one of his father's neighbours. His friend and his father's neighbour speak together. 'I have come to return unto my father because I have done wrong.' He tells the neighbour what they have brought to offer the father—usually a cow and a bull. Then that neighbour seeks three comrades or perhaps four or five, and they go to pacify their irate fellow, saying: 'Our child has returned. He knows that he has done wrong towards you, but we have received him because he has confessed humbly and begged forgiveness.' His father refuses furiously and almost spears himself in his passion. His fellows pacify him for the whole day, or perhaps two or three days, then at last he agrees. Then the young man and his fellows bring the cow and the bull. The father also calls together many of his fellows and he seeks beer and cooks food. They gather together at the father's homestead and the father says: 'My son has come and admitted that he has done wrong, asking that I forgive him and saying: 'I did not know what I was doing, these are the cattle which I have brought', and the others agree. Then they kill the bull. They roast some meat. The father catches one side of it, the son the other and the village headman cuts it in the middle, and the father and son each eat their piece. This is the blessing (*ulusajo*), meaning that there is kinship between them now. They eat together. Then all the people eat. Also with the beer it is like this. The village headman picks a straw and puts it in the beer, hands it to the father who drinks, and then to the son. Then other people drink, and they

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593 send the son into his father's house. He walks through the whole house
789 and the mothers acclaim him. This is the sign to show everybody that
783 he has entered his father's house. The women call the *akalulu*. They are rejoicing because he has entered.

There are, however, some who do not return to their fathers. They remain strangers [*abandu* as opposed to *abakamu*] until their death. There is a young man at my home who took his father's wife. Where he fled to no one knows because he is still in hiding. His father separated from him altogether.

A son must always bring something and the father must collect his friends. If they just agree with one another and people do not eat anything, then the son will not be settled in well. He will be ill. They say
[753] that the illness comes from the shades. If the father is angry he mutters (*ikwibunesya*) and they hear. At first the people are not angry, but later on, when they have heard from the father about the matter, they also are angry. It is as if they help the father to mutter. Their shades are not there, only those of the father's lineage, but his shades have regard to the people. If the people do not eat anything and are not present, they are not satisfied even though the father is satisfied. The father prays to his shades alone in the evening with water in his mouth, and they pour out beer on the hearth-bricks.

764 KASITILE: If a rich commoner has died and the heir buries him with
556 only one cow, the shades and people are angry with the heir, breath
783 falls on his body; perhaps he falls ill, or perhaps his child falls ill. But they do not meet; people, the witches, are angry and the shades are angry; the shades because they have buried him with only one cow, people because they have not eaten meat, but the shades and people are independent of each other. The oracle says: 'The shades are angry,' it does not speak of people. It knows that people also are angry, but it speaks only of the shades. And when he makes amends he prays in the evening; the next day he calls people and kills a cow and he throws the *ija mmapa* meat in the banana grove and says: 'Here it is, Father,' and people say: 'Indeed, he did wrong, his father was angry.' But they do not confess, saying: 'We were angry.' No, they say: 'The shades were angry.'

754 Another type of case is that in which 'the breath of men' is
783 believed to have fallen on an infant because of its mother's disrespectful behaviour towards her husband's parents or husband's father's sister. When a child is thin and ailing with *ingoto*, the cure is for the mother to confess to the doctor who comes to treat the child all the rude things she has said, and provide beer (exceptionally a bull) to offer to her injured parents-in-law. They drink the beer with their neighbours and wish her well. Ambilikile's wife

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Certain siblings perform the ritual, but not all of them. We have referred already to the heir, who is commonly a dead man's younger brother, and who must perform it whether he is a full brother or half-brother, and to a woman's related co-wife who may be either a younger sister or a brother's daughter. The brother or sister 'who followed at the mother's breast', i.e. the sibling immediately younger, must always perform it. Nyakyusa find it very difficult to formulate the rules—there were lively arguments between well-informed people when the question was posed—but these principles emerge from a study of those who actually participated in eight funeral rituals.

Since the funeral ritual is directed to the shades, men can only perform it in the homesteads of their agnatic kinsmen, or of their maternal grandfather or his heir: they can never perform it at the homestead of affines (*kubuko*) for there they are not kinsmen (*abakamu*) but in-laws (*abako*). Hence a husband performs the ritual for his senior wife at his own homestead and her father (or his heir) at his. 'According to custom "the husbands" (*abalume*) perform the ritual, then, when they have done so, she whom we have put in place of the dead comes to us and says: "Fathers, we have performed the ritual, perform it yourselves." ' We never saw a ritual of farewell to a dead woman at her father's house but believe it to be a modified form of the ritual performed at her husband's.

Because of the rules of avoidance, a father-in-law and daughter-in-law cannot, together, go through a ritual which involves the close proximity of the principals. When, therefore, a man performs the death ritual for a son or son's child, he performs it at his own home, and the daughter-in-law concerned does so at her husband's homestead. The widow or parents must begin, and the father or grandparents follow. Thus when Mwandisi's son's son died, the parents of the child first performed the ritual at their home and Mwandisi and his wife then followed at theirs. But in a twin ritual, where participants can be secluded, father-in-law and daughter-in-law may attend the same performance.

A woman can perform a ritual either at her father's or her husband's (as well as at her mother's father's) and she may even perform it according to two different forms, following that of her father's lineage when she is visiting him, and that of her husband's lineage when she is performing it at his homestead.

It is possible that, on the death of a man, his sisters' children

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764 sometimes perform the ritual, but we lack conclusive evidence.
602 One case in which a sister's daughter of the deceased man performed the ritual was recorded, but at other funerals girls in the same relationship did not. Kakune, the doctor, asserted that a boy would perform the ritual for his mother's brother for 'he is mother, the brother of mother (*jo juba ulilumbu gwa juba*)', but in a number of cases we observed women performing the rituals for their brothers though their sons did not. A man's children may possibly perform the ritual for his sister but we traced no case of their doing so.

768 Those who drink the ritual beer when a widow returns to her
602 father's house after her union with the heir are her father and the men of his lineage—brothers, half-brothers, sons, and some of his brother's sons; the wives and children of these; and daughters of the lineage, her own sisters and half-sisters, and sisters of her father, but *not* the husbands or children of daughters of the lineage. At one *ingotolo* ritual we attended there were present eleven men of the lineage, eighteen daughters, and thirty-two wives, as well as numerous children (cf. genealogy, Table (e)).

764 When a woman has died those who come to cut the banana
● 593 grove and give medicated meat to her children are the *abipwa*—her brother (or his heir) and his wives.

764 The principals at a death ritual, then, are children and grand-
602 children, parents and grandparents, spouses, and certain siblings of the deceased, together with some of their children. If a woman dies, or a widow is inherited, her agnatic kin and their wives are concerned as well.

845 The group which takes protective medicine after an abnormal
602 birth is larger. All the wives and children and grandchildren of
751 the father of twins must come, his full siblings with their children and grandchildren, and the wives of his brothers, but not the husbands of his sisters; some of his half-brothers, with wives and children, some of the children of his father's brothers' sons (but not of father's brothers' daughters) and of his father's sisters' sons. On the mother's side her father, or his heirs, must take part with his wives and children, and her sisters. At the ritual for Mwakobela and his wife, previously described, we counted 136 relatives taking part, of which 24 were men, 19 boys, 33 women, 12 girls, and 35 babies (cf. genealogy, Table (a)).

845 When the mother of twins took the *ilibalaga* back to her 'father',
602 her brother (heir to her father), with his wives and children, her

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has been a quarrel in the family, those members of the lineage who have been at variance must attend and share the meat or beer, and bless one another. Grandchildren, 'comrades of the shades', must eat the offering left overnight in the banana grove. If a son has quarrelled with his father and comes to beg pardon the father calls his *neighbours* who must be present and partake of a feast and bless the young men. 'If father and son just agree with one another and people do not eat anything, then the son will not be settled in well.'

At a puberty–marriage ritual the principals are the nubile girl and her father or brother, her husband, and sometimes her mother or mother-in-law. A mother goes through the ritual with her eldest son's wife, or with her eldest daughter, if she is initiated at home. At an ordinary birth the principals are the mother and infant.

Besides these principals who undergo the full ritual there are many minor actors. At a funeral there are the grave-diggers who, traditionally among the Nyakyusa, were mature men, relatives or village neighbours.[1] They wash after the burial and are rewarded with a special leg of the funeral beef. As we have seen, the affines (*abako*), that is the fathers-in-law and sons-in-law of the deceased or of 'the owner of the funeral', come with cattle to kill or cloth. When a woman dies, her husband and her father, or her brother, kill cattle, and their affines bring cloths or, occasionally, cattle. Kinsmen—members of the lineage and their wives—and neighbours bring gifts of food to cook for the crowd of mourners, and small gifts of millet which are presented to the shade and used for making the ritual beer. After an abnormal birth, village neighbours have their legs splashed with scalding medicine but do not drink medicines or shave. The cattle of the village are also splashed. At the puberty ritual the bride's maids keep her company during her seclusion. The co-wives and neighbours of her mother and mother-in-law assist in instructing her, and the neighbours of her father join with him first in avoiding her and then in giving her gifts. Her father-in-law is identified with his brothers and his father's brothers' sons, whom she avoids, as well as his sisters, and her mother-in-law's brothers, and sisters' husbands. They, in turn, avoid her sisters, as well as herself.

By the 'congregation' we mean those who attend rituals to express sympathy, and whose presence is felt to be necessary to the

[1] In Ngonde they are *alalasi*, cross-cousins.

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585 between' accompanies 'the mothers-in-law' when they go to induct or instruct the bride, and the wife of her father's 'go-between' is one of the group of mothers which takes the bride to her husband. The duties of a 'go-between' do not end at marriage: the
[35] groom's 'go-between' is responsible for taking to the bride's people the hen to announce the birth of the first child, and, among the Lugulu, the 'go-between' of the father is master of ceremonies at the ritual of vituperation.

789 602 The ideas that emerge from this analysis are, that in the *protective* rituals—after death, twin birth, spearing, binding with ropes, and death from sorcery—the parents, children, grandchildren, and some siblings, and siblings' children of the person primarily affected undergo the ritual. Links through females as well as males are recognized—daughters' children as well as sons' children attend—but they are not traced so far, and a brother's or half-brother's children attend far more often than a sister's children. Moreover, children of an unrelated co-wife perform the death ritual for a woman rather than her sister's children.

● 593 Wives always attend rituals in which their husbands are concerned—indeed, they often come with their children when their husbands stay away—but when the wife is concerned as a sister or daughter, her husband never accompanies her.

593 602 The closest relatives, such as own children, children of the heir or of a related co-wife, and proximate full siblings, must *all* participate, but the more distant relatives select representatives.

602 The range of relations concerned varies with the particular ritual—it is widest in the twin ritual and narrowest for an ordinary birth—and is also modified by proximity, for relatives who live near come when those in the same category living twenty miles away do not.

Affines (*abalo*) never perform a ritual together even when they are next-door neighbours and close friends, but *abalo* in one generation are *abipwa* (mother's kin) in the next, and a man and his *abipwa* can participate together, as in the protection against sorcery described. More often, however, the members of each lineage act separately.

602 621 613 Our Nyakyusa informants distinguished the officiants—*abanyago*—from those undergoing a ritual but they did not make distinctions of the sort attempted here between principals and kin who do not undergo the ritual. The distinctions they drew were between kinsmen and neighbours and between lineages. At a death

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find it. There are many cases like that. My friends in the age-village will go to a diviner who will declare that the shades are angry because I do not care for my father.' If a daughter makes a runaway marriage her father is angry and it is believed that either she may not conceive or her baby may be ailing until the marriage-cattle and bull of puberty have been given by her husband and accepted by her father.

The respect and obedience due to a father is due to his heir, and in certain circumstances to his sister also; while on his part the heir has the same obligations to his juniors as the deceased had. Fibombe cited the example, already quoted, of a man quarrelling with his dead father's sister over the distribution of the marriage-cattle for his own sister, and the girl failing to conceive because of the anger of her father's sister. If a son, whose parents are dead, neglects to provide his sister with the customary gifts of food when she returns to her husband after a visit to her 'father', he may become impotent: 'Those below are angry and when he has begotten twins he will have trouble at the ritual.' Or the girl may fall ill. 'She thinks: "Who is my father? This is my father, but he does not care for me." ' The mystical power of a senior relative is linked directly with his obligation to give gifts:

> My father's elder half-brother has power over me only if he has given marriage-cattle for my father or nurtured him. If he has given him cattle to marry a wife then he has power over him. . . . My superior (*mbale gwanga*) is he who gives me everything.

Favouritism in a polygynous family, shown in the unfair division of milk or meat or fish by the husband between his wives, is thought to anger the shades, which cause his cows to bleed from the udder when milked, or prevent fish entering his traps, and so do the bad temper and insulting language of a quarrelsome wife. Mwakwelebeja explained that:

> If a woman is bad-tempered when she is making beer the beer goes sour. If my wife and I quarrel my shades are angry and the beer is spoiled. I say to my wife: 'You have spoiled the beer because you do not listen to what I say.'

Neglect of his wards by the heir is a wrong-doing frequently mentioned.

> It is said that if I neglect my brother's children he and my father will be very angry, they will not come to meet me when I die, as the

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595 There are a few heathen women who do not wish their husbands to take other wives, but many who urge them to do so. Another wife is like a servant in the house, and the position of the principal wife (who is not necessarily the first) is improved when her husband adds to the number of her more or less obedient juniors. Formally they are her sisters; in reality they are her servants, and must always answer her demands with the polite response "*ta*." The husband also gains in importance as he acquires one wife after another. When the children are grown up, they are dispersed to various villages, and the father is always "feared" in such places, because he has sons or daughters who will see to it that he is properly honoured when he pays them a visit.

553 585 Husband and wife take new names at marriage; but they are for private use only, the old names being used by their friends. The new names, which are given in the presence of witnesses, indicate that the old life is past, and that new duties and privileges now bind the couple to each other.

● 593 422 [586] The position of the wife is guarded in many ways. Her father and brothers are always ready to take up her quarrel, even to the extent of fighting her husband if need be. She owns property, but she retains it only so long as she is a wife: divorce separates her from husband and children, and also from all the household goods of which she is otherwise mistress. The husband hoes the garden, but the produce belongs to the wife; he may not take anything without her consent, even to feed his friends. If one wife

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593 422 refuses point blank to feed his visitors, he appeals to another; but it will be obvious that continued churlishness on the part of a wife would lead to trouble. Bananas, rice, and malesi belong to the husband; bananas, because he alone attends to them; rice, because it came from the Europeans; and malesi, because from this cereal beer is made, and the husband is lord of the beer pot once the beer is brewed. Fowls belong to the wife, but though the profits of sale are hers, she usually lays them out in small household necessities, such as salt. She often gets a cow from her father, and her husband may make her a similar gift; and he must not use the milk without her consent, though if it is sold, the money is laid by to pay the tax. All household utensils are hers, except the small dish from which her husband eats; but she leaves everything behind should she be divorced, except the cow she received from her father.

587 765 If a wife dies while still capable of child-bearing, her father must give another daughter to the widower; or, if he has none, a cow, dressed with flowers, is sent with an apology, and a promise that as soon as possible the dowry cattle will be returned. If the father hopes that another daughter may yet be born to him, an arrangement may be come to by which she will go to the widower. Widows become the "family" of the heir. They wear anklets of cow-skin, and let their hair grow, mixing it with clay. These signs of mourning they wear for about a year. Girls wear similar tokens of mourning if either parent is dead, but not boys.

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583 The dowry cattle are usually found by the father of the bridegroom; if he does not own them himself, the boy's uncles come to his aid; and in the event of divorce, they are re-distributed, with the increase, in the proportion in which each contributed. The father of the bride, who receives the cattle, as a rule divides them among his relatives, one going, in the case of the first daughter to be married, to the village headman.

•593 562 It is usual to commiserate the sad lot of the African wife. I am not sure that much commiseration is called for. If the husband converts his duties of natural guardian into those of oppressor, he will answer to her father and brothers. As I have indicated, she owns property in a small measure; she is mistress in her own house; even her husband seldom interferes with her decisions, and no one else ever does. She has to work hard, it is true, working up till old age at tasks that would quickly kill a European woman. But she is not unhappy; indeed one sees more happy faces among them than unhappy; and she is blessed beyond imagination in comparison with the horrible conditions in which some women in our own country lived during the earlier part of the Industrial Revolution; and large numbers of them are happy in their husbands and children. Although many girls are married before they know what is happening to them, and many are unhappily yoked, as revealed by the great numbers who run away later with young men of their own age; yet there are countless happy families, where deep affection binds

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husband and wife by strong ties; and where a possibility of parting faces them, as in the case of men wishing to join the Christian Church, and so having to put away all wives except the first, it brings with it in very many cases a pain, keen and poignant, such as one might imagine would be felt by Europeans in similar circumstances. I know not a few cases where a young husband and wife began their married life by serious quarrelling; but after a while not only became reconciled, but discovered that something had happened to them not unlike falling in love with each other. And, while there are too many instances of the opposite, it is further true that at least in the presence of strangers, husband and wife treat each other with a mutual courtesy and dignity, which would form no inappropriate model for peoples of higher development.

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787 so insulted him. This does not apply to an invitation
578 to drink beer, but no one can explain why there is a difference.

3. Accusations against a man of good character come under the same heading. Some evil has been done, and the wrong-doer has not been discovered. Then, perhaps in joke, or it may be out of personal dislike, some one says that so and so did it. The person referred to knows that his days will not be long in the land. "Did I ever do a thing like that?" he asks indignantly. "Why, then, am I accused?" It can only be *kusikura*, and he expects to die, at the best, within a year or two.

787 4. If the spirits, in dreams, offer food, it must not
828 be accepted, even in the dream: to accept it means death.

787 Connected with the foregoing, but having a
578 different name among the Konde, are insults or injuries to parents. A man who fights with his father,
593 and throws him down, has achieved the final wickedness. Whether the old man was right or wrong in the matter in dispute is of no consequence; the whole community expresses its abhorrence of the deed. "Has this man reached even to God?" that is to say, does he consider himself the equal of God, that he does such things? Word is sent to the chief, and the whole district is informed of the evil thing that has been done. There is no formal denunciation, no spoken curse; but the *ikuguse*, the curse of all fathers, and of all ancestors, is upon the son. He becomes lame; then unable to stand upright; finally he

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crawls about on his buttocks, a helpless object. The curse has taken effect.

After a time good-natured people try to bring father and son together again. The son is persuaded to make his father an offering of an ox or a cow in token of repentance. If the father agrees, a day is fixed, and the whole community, including the little children, assembles at the house of the injured father. Beer is prepared, the ox is killed, the son publicly expresses his repentance, and the father his acceptance thereof. Then the people, having heard all the details of the crime, express their feelings in a prolonged groan. A dose of medicine is now given to the son, a stick is put into his hands, and he is bidden to rise and walk, which he does in the presence of all! A similar curse falls upon the man who does evil with one of his father's wives; and there are a very few other crimes which automatically bring on the same punishment.

It is not difficult, from the point of view of modern mental science, to explain the facts. The disability is due to the conviction in the mind of the younger man, strengthened by a similar conviction in the mind of the whole community, that such results always follow deeds like his. Similar phenomena are by no means unknown among Europeans, where the response to each other of mind and body is not so immediate as it is among the more unsophisticated Konde. The man bearing his sin is mentally, perhaps, rather than physically, unable to stand upright; and the conviction having been removed from his mind,

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754 all speed to its "father." Should the victim have the good fortune to kill it, it will return to its original elements, and appear before him as a mere root of a tree.

The next class of people who possess destructive powers are the poisoners. Direct evidence is naturally hard to get, for the poisoner must act in secret. The poison need not be administered directly, though that is often done; if placed where the victim will touch it, it is enough; over the door, where it will drip on his head, or on the threshold, where he will touch it with his foot. Death will follow. In 1905 a man called Ulukamba had a quarrel with a neighbour, and sent his son to place medicine in the doorway of his enemy. Two days later a son of the latter died suddenly. The boy who placed the medicine gave away the secret, by telling some one, and Ulukamba was put to the poison test, which condemned him, and he was ordered to pay over two cows. He refused, threatened to inform the magistrate that the chief had consented to the poison ordeal, and the case had to be dropped. But the belief that he killed the boy is still firmly held by all the people of his village. There was no case against the boy who placed the medicine, as he was obeying orders issued by his father.

828 The destructive power of anger is firmly believed
593 in by the Konde. To speak the name of a brother in anger, is strictly forbidden, for it may lead to his death. The process is rationalized thus: the spirits hear the words of anger, and, assuming that there is

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good reason for it, send a disease, or engineer an accident, which kills the person named. A well-known doctor, named Mwenekasangamara, now dead, was credited with wider powers. If he spoke in anger the name of any person within his family, and that was a very wide circle, that person would die. But he had the privilege of withdrawing, and so neutralizing the effect of his anger. The underlying idea is that it is contrary to God's law to speak evil of dignities; if the person spoken against, like Mwenekasangamara, heard of it, his anger would be aroused, and the spirits would come to his support.

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A daughter who despised her father, might be punished with barrenness if her father so desired. Mwenekasangamara imposed this punishment on a married daughter, and the curse was not removed until she had made proper atonement, and soon afterwards her infirmity was corrected. Another well-known case is that of a man called Songwe, living at Lupembe, whose daughter aroused his wrath to such a degree that he called upon his ancestors to destroy her. She became ill the same day, and died the next. This was in December, 1912. In the light of modern psychological beliefs, there is nothing impossible in the story.

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The Nyakyusa are, predominantly, a patrilineal people, for inheritance normally follows the male line. They differ, however, from the patrilineal peoples of Europe in that brothers inherit before sons. Inherited wealth is thus mainly kept in the hands of the older men, though they are under certain obligations towards their "sons" (whether own or classificatory) in their use of it. Marriage involves a transfer of anything from four to thirty head of cattle from the bridegroom to his father-in-law, and consequently the chief obligation which an older man has, both to his own sons and to the sons of any kinsman from whom he has inherited, is to provide them, in due time, with cattle for marriage. But this obligation is not an absolute one, it depends, in part, upon the due fulfilment by each "son" of his filial duties, which are, firstly, to hoe his father's fields diligently and, secondly, to maintain a respectful bearing towards him. Unmarried men have no gardens of their own, they work their fathers' land and eat the produce of it which their mothers cook.

Under modern conditions money for tax and clothes is necessary both to father and son, and very many young men visit the nearby Lupa gold fields regularly, for periods of a few months at a time, to earn it. A youth who always brings back to his parents after each spell of absence tax money and some presents is held to have done all his duty and he will be given marriage cattle just as soon and as readily as if he had spent all his time hoeing at home. And if he earns more, sufficient to purchase some of his marriage cattle for himself, still his father benefits, for the old man has then to spend fewer beasts from his own stock. But the Lupa needs food as well as labour and some unmarried men stay continuously at home and engage in the production of crops; after the family needs have been met the surplus is sold and from the proceeds the father pays his own tax and his sons' and buys clothes for them as well.

Hoeing, which is the hardest part of Nyakyusa cultivation, is normally done by men, planting; weeding, reaping and cooking by women. But some women nowadays do some hoeing too—if their husbands are away at work or if for any other reason they find it difficult to get enough ground prepared for them. Traditionally, I was told, women never used a hoe at all.

Polygyny is the rule rather than the exception among middle-aged men, and in a polygynous household, as we shall see, each wife has her own garden plots. The institution of polygyny has many other elements besides the economic, but the economic is not the least important of them: the taking of additional wives is the best capital investment which is open to an ordinary, uneducated, Nyakyusa peasant. A Nyakyusa wife is not her husband's property, she is his wife; but as family relationships are, among the Nyakyusa, the basis of economic activity, so the more wives

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vary in different circumstances. Millet and rice, the two most valuable crops, belong to the man and are stored by him; so that the division of a millet or rice garden into plots and their assignment to different wives is rather a division of labour than of property. But of all other crops the woman on whose plots they have grown is an effective owner. She stores them herself in her own house and no other wife of her husband can touch them; it is only with him that her rights are in any way shared.

The main use of the crops which the Nyakyusa grow is to provide food for each separate household group. Next in importance is the provision of food and beer for hospitality, and for the making of gifts both in everyday life and on special ceremonial occasions. And, finally, there is the barter or sale of surplus crops to obtain salt, pots, clothes, cattle and to pay tax. Each married woman, therefore, first uses her own crops to feed her husband, her own children and herself. If she is the only wife then she cooks for her husband every day, but, even if she is one of many, she is yet careful to cook for him frequently, in order to keep his affection and the various advantages which go with it.

When cooking for her husband she must, when necessary, prepare sufficient for guests, for a man very often has friends and neighbours eating with him; and if he wishes to make a gift of cooked food, she cooks it for him from her own store. To provide meals for him and his guests and cooked food for gifts is an obligation which she normally fulfils quite willingly, as we have hinted above; she may be fond of him; it is in any case to her interest to play her part in the co-operative relationship which binds them together and from which both alike benefit. He hoes for her and builds her house, he gives her a share of the household milk, which he himself controls, he sleeps with and is gentle to her; he has, without the aid of any legal, moral or conventional sanctions, a great hold over her, as she, on her side, has over him. But, if either fails to play their part in willing co-operation, then there are, for both alike, these other sanctions to fall back upon. A quarrel develops between them and leads to violence, perhaps he strikes her, perhaps she viciously repels him, one night, from her bed; and then the immediately injured party appeals to the neighbours for support. They discuss the matter, censure one or the other, and try to make it up between them; if they fail to do so the case may go to Court and one will then have to pay compensation to the other. Or it may happen, without any violent quarrel, without any formal appeal to the neighbours, that one of them becomes aware that his conduct is provoking their mockery and criticism; and then in shame he mends his ways. Or, finally, one of them may fall sick and suspect that wrong-doing on his part has been followed by spiritual retribution in the form of witchcraft.

A woman, then, uses her stores of food to cook not only for herself

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A woman, thus, uses her stores of food to cook not only for herself
421 and her children but also for her husband, and his guests and for gifts; she
513 has, however, every right both to entertain her own women friends to meals
595 and to make gifts of food to her relatives, and she does so when she chooses without consulting her husband. Co-wives entertain one another if they are on friendly terms and even sometimes make a habit of taking their meals together; but this is entirely a matter of personal inclination, it is in no way necessarily inherent in their relationship; there is no community of property between them.

421 595 This sharp division of property between fellow wives is well exemplified in the following story from a Kukwe family. I was discussing with a young man what happened if, in a polygynous household, the crops of one wife were a failure. He assured me that no action could possibly be taken to compel the others to give her a share of their crops, either for food or for seed; if they did give her a share it was kindness and goodwill alone that would prompt their doing so: "I saw it happen once," he continued, "in my own father's house. He had three wives and had hoed maize plots for them and divided them up, and each had planted her own maize. But, when it began to grow, that on one wife's plot was very poor while that on the others' plots was abundant, and at the harvest the one wife reaped very little maize indeed. So when the harvest was all gathered my father asked the other two whether, as they had plenty of maize, they would not give some of it to their fellow. At first they refused emphatically to give her any, saying that it had just happened so, they had reaped plenty and she had reaped little or none, but it was not their custom to divide up their crops and she, if she had reaped plenty and they had reaped little or none, would certainly not have given any of her crop to them. And they asked whether she was his favourite that he made such a suggestion. Let him, they said, spend a shilling or two on buying food for her himself. My father entreated them but still they refused.

"But day after day for a long time he went on entreating and persuading them, pointing out that she had children to feed and asking if they wished her to die of hunger; he, he said, was not in any way compelling them to hand over their food, it was entirely for them to decide whether they would not each give her a little; if they disliked doing so, well there was no more to be said. And at last they began to be persuaded, they discussed it all, the two of them together, and the fact that she had children to feed, and each gave her a portion of her own crop. And later, when this maize had all been consumed, they gave her seed also for the next year's planting."

I then asked if the one whose crop had failed was, in fact, his father's favourite wife or not. "No, she was not, one of the other two was his

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may call in against her husband, if she desires divorce. And, it is hinted, this particular force may sometimes be successfully invoked by a plausible woman even without good cause.

In disposing of the surplus of their crops and bananas the respective rights of a married woman and her husband vary in detail, though little in substance, according as he has or has not made a formal division between them. It is not infrequent for a man to reserve for his own use one or two plots and some banana stems, which are then called *busongo* plots or bananas (*imbaka* or *ifijinja fya busongo*). In the planting, weeding and reaping of the *busongo* plots all the man's wives co-operate if he has several, but the final product is absolutely his own, it is stored by him and they have no part in it. Conversely, however, the rights of each woman to dispose of the surplus crop of the plots allotted to her are thereby greatly increased, for her husband cannot then touch it at all.

In any case, whether or not *busongo* plots and bananas have been set aside, a woman's obligations to provide food for her husband's con-

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authority can possibly either act over the whole area or command general approval and support for its actions.

But in primitive society it is otherwise. In a small and isolated group largely composed of personal acquaintances it is difficult to escape from one's friends; while the facts of every dispute, of every breach of law, are soon widely known; and in consequence, it is there perfectly possible at times for legal sanctions to be effective without the intervention of any central authority at all. The neighbours, or the kinsmen, or the affines of a lawbreaker are in themselves a large and important section of his society, and he can only with difficulty escape their authority; he can not lose himself in a great city as can his civilised counterpart. And so the typical method of legal procedure in a primitive society is for action to be taken against a lawbreaker by those more nearly concerned, supported by general public approval. And it frequently happens that the only effective action is taken singlehanded by the injured party; nevertheless if that action is supported and strengthened by any generally expressed approval we can not deny that it possesses a legal form.

In a primitive group any request which an individual may make to his kinsmen or neighbours for practical assistance against a lawbreaker, any appeal to their opinion in a dispute is a legal procedure, for it is an appeal to authority. It is they upon whom he is in practice most dependent. Nor is it only in "private life" that he depends upon them, for, owing to the smallness of the group, the distinction between "public" and "private life" hardly exists. In many situations they hold in their hands the whole force of his society; their actions and opinions are checked or supported by the informal but nonetheless effective jury of widespread public discussion; and if they are against him he has nowhere else to turn.

Now Nyakyusa society to-day is no longer isolated and primitive, neither has it yet fully taken its place in the social system of the world; it is in process of transition. Legal procedure is, quite inevitably, becoming everyday more and more an affair of the central territorial authorities, of the Governor in Council and the High Court of Tanganyika and of their appointed deputies: the local Magistrates, the District Officers and the Native Courts. But the process is not complete. In many situations of social life the new impersonal relationships with the great world are still, for the moment, more or less irrelevant and in them the old primitive sanctions retain their power.

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sumption, for hospitality and for gifts are very much the same ; but there, if he has *busongo* plots and bananas of his own, her obligations cease. Bananas demanded by the chief, money for tax and for his own clothes he provides for himself by making use of his *busongo* crops, and he may even keep some of them as a security against possible famine ; and so he leaves her free to dispose of her own surplus as she pleases. If, however, he has reserved no plots for himself then the surplus of each wife's plot is jointly owned by her and her husband. Neither can rightly dispose of it, in any large quantity, without consulting the other ; neither can be denied the right to dispose of it, after consultation with the other, for any urgent need.

Sometimes however a division is made by the husband between himself and his wife not of land but of crops ; after the harvest he takes a portion of the crop of her plots for his own use, leaving the bulk of it to her for cooking and for her own needs. In that case, once the division is made, their respective rights are just the same as if the portion kept for himself had been grown on a *busongo* plot.

The following words of a young Kukwe man make these points clear. I had asked him about the respective rights of husband and wife to dispose of maize and beans for cash : " Normally," he replied," if the man has not kept any *busongo* plot separate and the crop is in consequence their common property, he will speak to his wife and ask her to take some of the beans and sell them and buy him a cloth with the proceeds. But an inconsiderate husband may just take them without consultation. So with the woman, if she wants a cloth she tells her husband and suggests taking some beans and selling them in order to buy one ; and her husband agrees that she should, because there has been no division made, the crop is their common property. And if the man is in trouble for tax money he consults his wife about selling some maize or beans and she agrees, for otherwise he would be arrested. If, however, the man has kept a *busongo* plot separate then he takes and sells his own food and his wife hers, without consulting one another ; because a division has been made."

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" And supposing," I asked, " that a man has three wives, whom does he consult about selling food, if there is no *busongo* plot ? " " In that case," he replied, " if, maybe, he wants to procure tax money and has no *busongo* plot, then he speaks to his chief wife and tells her that they must assist him or he will be arrested and she suggests that they all consult together. So he calls his wives to him and they agree to give each so much from her store of food ; maybe he shows them a basket for each to fill once ; and then he puts it all together and sells it and pays his tax."

" This custom of keeping a *busongo* plot," he volunteered," is only rarely followed nowadays in Bukukwe in the case of maize and beans, but it is quite common with cassava and with bananas."

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"Why with cassava?" I asked "Because the husband thinks of cassava as a security against famine; if a famine comes he takes his *busongo* cassava and gives some to each of his wives."

"And why with bananas?" "Because if he has bananas of his own then when the chief sends the great-commoner round to collect bananas for guests, or to send to the hospital in Tukuyu, the man cuts one of his bananas. He realizes that, as he has two wives, if he takes a banana bunch from one of them she will be angry and wonder why he cut her bunch and not that of her fellow wife."

"So it is only polygynists who keep separate *busongo* bananas?" "Certainly, no monogamist would ever do so."

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"A man named Mwaisaka," he told me later, "once disputed with his wife over the selling of maize. They had just begun harvesting the crop when the woman told her husband that she intended to take some of the maize to the shops and sell it and buy some cloths; for her child was naked and she had neither cloth nor skin to carry him in on her back, she had to hold him in her arms. Mwaisaka, however, told her to wait a little until all the maize was harvested, when he would divide it up. His wife thereupon protested that the crop was their joint property and that he himself could take some for sale whenever he wished, so why not she also; and she pointed out that many other people had already begun to sell their maize and buy cloths. So they quarrelled and Mwaisaka struck his wife, who then ran complaining to the great-commoner. The great-commoner heard the case and judged that Mwaisaka was in the wrong because his wife had no skin for carrying her baby and was in trouble therefore. If, he said, she had not been in such trouble over carrying the child they would have given their opinion against her for refusing to agree with her husband's proposal to wait and finish harvesting first, but as it was they thought that Mwaisaka was in the wrong; no division of plots or crop had been made and the food was their common property. And Mwaisaka admitted that he was wrong." "Did he pay his wife any compensation for the blow?" I asked. "No, they reconciled them to one another."

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"And if a man," I enquired further, "takes some of the food which belongs to himself and his wife jointly and sells it without telling her, will she make a case against him?" "She may, but if she is a gentle wife she argues it out alone with her husband; she asks him why he did not consult her, for there is now but little left and she wonders what they will eat. And her husband, if he is a sensible man, agrees with her and admits that he was in fault. But if, instead, the man makes out that he had every right to take it, for the food is as much his as hers, and if he is indignant at her protest then that attitude will bring a quarrel between them."

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The most important reason which traditionally impelled men to reserve *busongo* plots and bananas was, so the old men told me, the frequent lack of affection and generosity in women towards their married step-children. If one of his wives had died or left him, then a man might find that his children by her, when they came to visit him, received but scanty entertainment from his other wives and went away home empty-handed. So to obviate this state of affairs he would set aside *busongo* plots and bananas, and take food and gifts for these motherless children thence. In the old days married children nearly always lived within a mile or two of their father's house and visits were frequent. Nowadays this reason, which still continues to operate, tends to be overshadowed by the desire on the man's part to have a definite portion of the crop marked out for sale to the Indian traders. Nevertheless many men prefer community of property to an anti-harvest contract with their wives and so do not keep any *busongo* plots at all.

"What," I asked an elderly man in Selya, "is a *busongo* plot?" "The word *busongo*, used either of bananas or of garden plots, means that they belong only to me, not to my wives; so that when my daughter comes I cut for her a banana bunch of my own and give her my own food. Not all men keep *busongo* plots; some like the customs but others do not. I myself have only one wife and no *busongo* plots, all my bananas are hers and all my gardens too."

And another elderly man, also of Selya, said to me one day: "Some men like to have *busongo* plots, others do not. Nowadays these plots are used to grow crops for sale, but in the old days they were for feeding a man's children. I myself divide up all my gardens amongst my wives (he has three living with him at present). Even though three of my wives have diedand one has left me, even so I do not keep a *busongo* plot; when my children come to visit me they are given food by Jane (his chief wife, who is also his favourite). At first I divided up the children (i.e. the grown-up children whose mothers had either died or left him, and who in consequence had no special claim on any one of his present wives) assigning some to one, some to another of my wives, but the others grudged them food so now they all come to Jane." He here suggests that the meanness of two of his wives and the existence of many motherless children gave him good reason to reserve *busongo* plots and bananas, but he did not do so, he preferred to rely on the generosity of his favourite wife.

And besides providing entertainment for adult but motherless children, beside providing a definite portion of the crop for the husband to sell, *busongo* plots and bananas are also useful, as we have seen, to meet the demands of the chief and to secure the household against a shortage of food

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tive capital, Tukuyu, and it is still thus used to distinguish this group from others. This group will here be referred to as "*Nyakyusa proper.*" Those in the North of the district to the West and East of Mount Rungwe call themselves *Kukwe* and *Mwamba* respectively, and there is a group of chiefdoms to the East, under the Livingstone Mountains, called *Selya*. All these four groups share a common culture, distinguished by minor local peculiarities of dialect and custom. Immediately bordering the Nyakyusa to the South West are the *Ngonde* (Europeanized as "*Konde*") in Northern Nyasaland; they belong to the same cultural group but are distinguished by greater differences of custom and speech than the others. I have not yet visited them.

In the hills to the West of the Rift live the *Ndali*, who are included in this administrative district; and on the plateau under these hills, to the West of the Kukwe, live the *Penja*. Both these small groups have old languages of their own which, though related to that of the Nyakyusa are more or less unintelligible to them; and they have equally distinct cultures. But they are now rapidly being assimilated to the Nyakyusa both in speech and in law.

I use the name Nyakyusa, in accordance with modern usage, to include the Nyakyusa proper, the Kukwe, Mwamba, and Selya groups, but to exclude the Ndali, the Penja, and the Konde. The Nyakyusa together with the Ndali and Penja number 150,000; the Konde of Nyasaland 30,000.[3]

Members of the Berlin and Moravian Missions were the first Europeans to settle in the district, where they have lived now for forty-five years and have made numerous converts. The German Administrators followed them closely, and later came a few planters. But pronounced economic change is a matter of the past five to ten years during which time the Lupa Gold Fields of South Tanganyika have been opened up and have employed increasing numbers of Africans on the diggings. During the past few years the young men of the Nyakyusa have developed the habit of going for a few months, now and again, to the Gold Fields to earn money for tax and clothes. They seldom stay more than six months at a time, often only one or two; so that their absence does not cause the same difficulties in their own community that are found in other areas where the men spend longer periods away from home.

The Family, together with a sketch of wider Kinship Groupings

The relationships of husband and wife, parent and child, sibling and sibling are continually visible in the culture of the Nyakyusa. The

[3] Government Census figures.

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593 holding of land and the economics of life in general, the rules and procedure of law, the emotional forms of ceremony, the dogma, rite, morality and symbol of religion, the forms of knowledge and opinion—all are interpenetrated by these relationships.

593 595 The word *family* is used in this paper to mean the organized group of a man, his wife or wives, and their children of any age, but not to include any other relatives. A Nyakyusa family, as we shall see, does not become extinct when the father dies; his younger full-brother or his senior son steps into his place and the group continues very much as before. In this society families are sometimes monogamous, sometimes polygynous; and, in consequence, two more relationships with which we are not familiar in our own culture are included in the Nyakyusa family; one is the relationship of co-wives and the other is that of half-siblings. Within a ploygynous family the different wives and their respective children form groups to some extent distinct from one another; and the term *individual family* is here used to denote the group of a man, one wife and their children, whether that group is part of a polygynous family or forms a complete monagamous family by itself.

593 595 601 The Nyakyusa themselves have no separate word for either of these small groups; the word *ekekɔlɔ* is sometimes used in the restricted sense to which we have here confined the word "family," but more usually means the whole of any single person's recognized blood kindred, living or dead, both in the male and female lines; and it is translated in this paper as *kindred*, *kinsfolk*, or *kinsmen*. They also have a word *ovokamu* which includes the whole of any one person's *ekekɔlɔ* together with all his recognized affines, and this is here translated *relatives*. The term *affines* is used to translate the Nyakyusa word *avakɔ*, which is identical in meaning with it.

[585] [435] 436 Marriage is legally effected by the handing over of four to thirty cows, together with one or two bulls, by the groom to his wife's father. And this transfer of cattle is the key to the whole Nyakyusa system of blood and affinal relationship. Cattle have a very high value because of their production of milk and meat, which are the most highly prized foods, and because of their scarcity; they are in constant circulation, and by their movement from one man to another they forever create and maintain the bonds of kinship and affinity. Cattle circulate rapidly; few except chiefs have more than six cows in their herds at any one time, more often each man has only two or three, while some have no cows at all; and yet every mature man has paid out, for his own and his sons' marriages, five, ten or twenty times the number of cattle that he at

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837 her and then returns to her first husband the cows he had given for her with two in addition as adultery fine. But this return is usually made only after the first husband has brought a lawsuit against him.

837 Adultery is extremely common now-a-days; when a man runs off
684 with, or is discovered seducing, a married woman and has not enough
177 cows to marry her, he is legally compelled to pay two cows for the adultery to her husband. In pre-European days an adulterer, if caught, was usually punished by the husband and his neighbours with death or extreme torture, and the old men tell me that adultery was then a rarer event.

584 The extent to which a girl is usually allowed to choose whom she
177 will marry is difficult to guage, and varies in different circumstances. Opportunities of meeting and flirting with young men at dances and ceremonies are frequent; and the older men say that, owing to the abolition by the Europeans of the old severe punishments for adultery, girls
[582] are freer now than they used to be, for their lovers no longer fear to run off with them if they are married or bespoken (which is in Nyakyusa law very much the same thing). The custom of betrothing infant girls is, they declare, less common than it used to be; they are now more chary of pledging their daughters "for when they grow up they just run off with someone else." A girl's choice is, however, limited by the necessity of finding a lover who has cows, and few young men have enough to secure her if she is already married, though they may have enough to pay an adultery fine.

[428] Owing, in part, to the laws of inheritance, by which a commoner's[5]
● 593 full-brother inherits before his son, it is the older men who control the cattle. Every bachelor is largely or wholly dependent on his own father (or his dead father's heir) for the cows for his first marriage, and he must hoe his father's fields for many years before he is given enough to secure a wife and to set up a family of his own. Economic reciprocity is an element in most human relationships, and it enters into the Nyakyusa relationship of father and son. It is well understood, in this society, that
593 after a certain length of time spent hoeing his father's fields a young man
685 is entitled to some cows, if his father has any; and if his father delays too long the young man either stops hoeing for his father or else he takes legal action and enforces his claim. Between father and son such law cases are rare, but they are frequent between a young man and the brother of his father who has inherited his father's wives, property, and position in the family.

[5] The laws of inheritance for a chief are, in certain respects, different; vide infra, "The Chiefdom."
7 A [Cat. 116 pp. 278 ff. --Analyst]

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crops are planted at different seasons of the year so that there is always some hoeing to be done.

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In a polygynous family each wife has her own fields (*imbuka*), hoed by her husband and her own sons, which she plants, weeds and reaps with the help of her own daughters, and the produce of which she uses to cook for her husband, her own children and herself. The relative rights of husband and wife to dispose of produce vary with different crops, but no co-wife has any rights over a woman's food. She may, and often does, ask her co-wives to help in her fields and sends them presents of cooked food from her own fire, she may help them and receive presents in return; but they have no rights over her fields or her food, only her husband and herself. And the fields which are hoed by a bachelor son belong to his own mother, who in her turn cooks food for him to eat.

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Each wife has either a hut to herself, or else a separate alcove in a large hut, and there she has her fire for cooking. She fetches her own firewood and water or sends an unmarried daughter for them.

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At meals the ages and the sexes eat separately; in some polygynous families each wife sends a dish to the husband, in others the wives take it in turns to cook for him. The husband eats alone or with neighbours of his own age[1] to share his dish, the older boys and their friends[1] eat separately from the younger children, and each mother again usually eats with her own daughters, apart.

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In the relationship of husband and wife the chief elements are sexual intercourse, co-operation in work, the procreation of children and factors of personal inclination, character and temperament. By men women are praised for sexual skill, cleanliness and beauty, for good cooking and hard work, for their fecundity, and for gentleness of speech and behaviour, and those with opposite qualities are criticized. Among women men are praised for sexual skill and attentiveness, for vigour in hoeing and skill in house-building, and for kindness; while sexual neglect, laziness, impotence and cruelty are disliked and may cause a woman to leave her husband for another man.

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The birth of children is a most important factor in the marriage relationship, for children are greatly desired both by men and women. They are desired for themselves and also because they bring their parents wealth and prestige; a boy will one day work in the fields of his father and mother, a girl will bring in cattle from her marriage. And the possession of children brings compliments and respect both to man and woman.

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[1] *Vide infra* "The Age-Village."

[Cat. 116, pp. 249 ff. — Analyst]

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but his wife refused to go and fetch her on the ground that he was a bad husband.

The children of one man and two close kinswomen have almost the relationship of full-siblings, but not quite, and I propose to call their relationship that of *linked half-siblings* (*vide infra*).

In a polygynous family the first wife married, the chief wife (*oyakusi-kulo*), is in a privileged position; she is entitled to the respect and obedience of her co-wives and her eldest son is her husband's ultimate heir. A man cannot lightly divorce his first wife during his own father's lifetime, for while the other wives he obtains by his own efforts, with his own cattle, she is married with cattle given him by his father, who must be consulted before she is divorced and who is offended if she is sent away without good cause.

Besides the chief wife there is, in most polygynous households a favourite wife (*oyakundaw*), who in fact has greater privileges. Ideally a man is supposed to be fair to all his wives and to distribute milk, land and sexual attentions equally between them, with perhaps a slight bias in favour of his chief wife. But usually one wife is her husband's favourite and is given by him an undue share of the household's milk supply, and sometimes he hoes more land for her than for the others, as well.

Divorce is legally effected by the return of the marriage-cattle. No pagan woman in this society ever desires to live *si gle*, and so when a wife leaves her husband it is always with the intention of marrying some other man. Usually she has a particular man in mind who has been making love to her and who has cows enough to redeem her, but not always. A woman may, as we have described already, run off with a lover and then, as soon as he has returned the marriage-cattle and the adultery fine to her former husband, she becomes his legal wife, and her children by him are legitimate. If she has no lover to run off with, or if her lover wishes to avoid the adultery fi[illegible] woman goes to Court* (before 1926 she went to her own chief) and publicly refuses to live with her husband. She may or may not give a reason for leaving him, but if she persistently refuses to go back to him there is now no way of compelling her to do so. The judges say to her: "Well you must find the cattle," and so she stays, either with her father or in the charge of a court official, until some man comes to marry her. Then the cows are returned to her first husband and the divorce is effected. In pre-European times, I am told, such a woman was frequently compelled to return to her husband by

*Vide infra, The Children, [illegible] [Ed.-Nth.], pp. 271ff. — Anal-ed.]

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586 her own father and the chief. A man has the right to divorce his wife, that is to send her away and demand back his cows, if she is dirty or lazy in housework or if she commits adultery, but men do not often demand a divorce for adultery unless it is persistent. If a man sends his wife away for some such reason she returns to her father and he, if he has cows available, sends back to her husband his marriage-cattle, if he has not got the cows the husband must wait until the girl is remarried.

593 857 Into the relationship of mother and daughter economic co-operation and reciprocity enter. The care of young children is largely in the hands of their elder sisters, and the girls also help their own mothers in field-work and in fetching and carrying. In return their mothers cook for them, teach them how to cook themselves and how to make mats.

585 593 Each mother is responsible also for her own daughter's virginity. One of the bulls which a young man brings during the initiation of his betrothed wife is only given if the girl is found on examination to be still virgin, or if he has defloured her himself. If it is given this bull belongs to the girl's mother to eat with her own friends. But, in spite of her [564] mother's responsibility for her, a girl learns nothing positive from her mother about sex, but from her own slightly older friends; with them she discusses the technique of love-making in detail, but never with her mother.

593 The relationships of siblings are, in general, closer than those of half-siblings, and the eldest son in each individual family is privileged above his brothers. A boy's claim for cattle is, as we have seen, partly based on the time and energy he has put into hoeing his parents' fields; but it also depends, in part, on having full-sisters of his own. When a girl marries the cows come to her father, but her own full-brothers expect to receive these cows, in time, for their own marriages, in the order of their age. Though the father controls the cattle the brothers speak of them as "our cows" and they have an ultimate legal claim to them, which only gross laziness or insult to their father can altogether vitiate. The eldest of a group of full-brothers is the first to draw on these cows and to marry, his juniors wait longer. Full-brothers are bound together in many ways; the eldest, who is privileged, is bound to help his juniors in any way he can, and they in turn respect him and in time give to him some cows from the marriages of their own daughters; 593 and each makes the others' quarrels his own. What chiefly unites them 428 is the law of inheritance, for though the eldest has first right to the cattle from their sisters' marriages, and though the younger ones, later in life, give cattle from their daughters' marriages to him, yet they are his heirs, and all his privileges in time pass to them. When the eldest dies his next

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full-brother steps into his place, takes his wives, huts, land and cows and looks after his children; after him the next full-brother inherits and so on, until, when all are dead, the property and wives of each pass to each one's senior son.*

The heir has exactly the same obligations to his predecessor's children that the dead man had himself while alive, but frequently he has less will to perform them; and his conformity is often only assured by the pressure of legal and religious sanctions.

This rule of inheritance is part of a more general fact, which is that, in Nyakyusa society, death does not break a family and its relationships, but simply alters the particular people between whom these relationships obtain. Only rarely does death leave a man or woman widowed, or a child orphaned; nearly always some one is at once substituted in place of the one who has died. When a woman dies young her parents are bound either to give another daughter to her husband or else to return the marriage-cattle to him so that he can obtain another wife; when a man dies his wives and children are not left alone but taken by his heir. If the heir is a brother he takes all the women as his wives, if a son he builds a separate hut for his own mother and takes the others. And the heir is now "the father" of the dead man's children. Even when a man and all his full-brothers are dead the families of each are still united for some purposes under the leadership of each one's senior son (eldest son of chief wife). The senior son is now called "father" by his siblings and half-siblings, he is religiously responsible for them all (*vide infra*), he normally exchanges cows with the eldest brother in each individual family (*vide infra*.), he is entitled to their respect and obedience.

Half-brothers may, or may not, be linked especially closely together. They may, as we have seen, be linked by blood when their two mothers are either sisters or close kinswomen, they may also be linked by an exchange of cattle, by "milking each other's cows" (*ukukamanela*). Each group of full brothers regards the cows that come in from the marriages of their sisters as their own cattle, but the father disposes of these cattle as he wishes. If he gives some of their cows to a half-brother, he thereby creates between the eldest of the group and this man the special relationship of "milking each other's cows;" and it is expected that the cows given will in time be returned by this half-brother from the marriage-cattle either of a full sister or of a daughter of his own. And the exchange once begun goes on; as their sisters and daughters marry

* This refers to succession's inheritance only.

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593 they continually give each other cows; between their respective sons also the exchange usually continues, but between their grandsons it lapses. 593 686 Reciprocity is expected and can be legally enforced, but it is not insisted upon so long as the two men concerned are friends, and its legal enforcement at once breaks the relationship. If two such half-brothers (or their sons) quarrel, one may take legal action for "separation" (*ukulekana*) against the other. The cows that have been handed over by both sides since the beginning of the relationship (perhaps twenty or thirty years before) are counted up, and one or the other is ordered to pay over the balance to make the numbers equal. After this the two are "no longer kinsmen," they have no mutual obligations and do not attend each other's funerals.

593 428 It is usual for a father to create this relationship between his senior son and the eldest of each group of full-brothers, so that by this exchange of cows the family is held together. The linkage of half-brothers, whether by blood or by "milking each others cows," is important in inheritance. If a man with no full-brother dies and leaves no sons, or sons too young to inherit, then the inheritance passes to a linked half-brother; to a half-brother linked by blood if there is one, if there is not then to one linked by exchange of cows.

771 Religion enters continually into family life and helps to maintain wider kinship bonds also. The Nyakyusa religion falls, broadly, into three parts: The Ancestor cult, Witchcraft and Magic. Taken as a whole their religion, as they believe, secures for them many of the most important values of life, health, good crops and success in various enterprises; it provides an intelligible explanation of death and misfortune by tracing them to the ill-will either of the ancestral spirits or of living men acting through witchcraft or magic; in its rituals it resolves fear and replaces it by hope and confidence; while the believed destructive action of the ancestors and of men is generally, though not entirely, linked with morality.[16] The commonest explanation of misfortune is that some wrong done by the victim, or by his close kinsman, has provoked the spirits or his fellow men to anger.

769 753 As long as a man has alive a father, a father's full-brother, or a senior brother or half-brother[17] of his own, this senior kinsman deals with the ancestral spirits, not only on his behalf, but also on behalf of his wives and children; and health is the chief value which his prayers are believed to secure for them. In the absence of sickness or misfortune no appeal is

[16] cf. Godfrey Wilson. "An African Morality." *Africa*. Jan. 1936.
[17] Provided the relationship between them has not been legally broken (*vide supra*).

9: Wilson E-5 (1934-1955) 1959
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The balance between chiefs and commoners is explicit. So also is their dependence on *both* cultivation and herding, and it should be noted that, though the Nyakyusa speak of themselves as stock men, they are not pastoralists to the same extent as the Masai or the Nuer. The number of cattle in Rungwe District today is less than half the human population, and men traditionally have done the heaviest share of cultivation.

In every version of the myth the tension between father and son, or elder and younger brother, is stressed. In Nyakyusa society the father (or his eldest son who replaces him) controls the family property and exacts obedience from his juniors who continue to show their respect after his death by sacrifices. The tale of Kyala and Lwembe celebrates the triumph of the *junior*. Thus, at the heart of the very ritual which sanctifies seniority there is the assertion of the victory of the son and younger brother. The myth expresses the aspirations of subordinates—of commoners and junior kinsmen—as well as the power of chiefs and seniors.

As we have already noted, the heroic cycle makes no reference to the peculiar Nyakyusa institution of age-villages. Their charter is a quite separate myth[1] which tells of a chief who looked on his daughter-in-law and loved her and took her, and this so shocked men that in future fathers and sons built separately, so that a father-in-law should never see his daughter-in-law.

There are other hints of the eternal theme. Besides the saga of Lwembe there is another quite different tale of the origin of fire, which is less often related. In it a girl who had angered her father by breaking his drinking calabash fled from BuKinga to the Nyakyusa valley, where she found people who ate their food raw. She made fire and cooked for them and 'all women came to her to learn to cook'. The long-necked calabash, used as a drinking vessel and in prayer to the shades, is a man's most personal possession destroyed at his death, and it stands for a husband, while cooking is a symbol of the sexual activity of women, so the myth is perhaps a drama of incest, but we have no direct evidence of this.

This last is the only tale in which a woman appears as a benefactor. In general, the mythology is that of a strongly patrilineal society in which men are dominant. The wives of Lwembe who walked behind their lord, shepherded by a lion,

[1] cf. Monica Wilson, *Good Company*, p. 83.

10:Gulliver E-5 (1954-1955)1958 FN17 Ngonde FN17
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CHAPTER IV

THE RESULTS OF LAND SHORTAGE

311 As indicated in the short outline of traditional land tenure in Chapter II, the system developed and worked adequately in the old situation (both before and after European conquest) when land was plentiful in relation to the people's demands. Any villager who wanted land had the right to be allocated fields; any established villager who wished to expand his cultivation could do so without difficulty. Movement between villages was easy, and [64] especially after the establishment of European peace, for everywhere newcomers were welcomed to increase the strength and prestige of the village, and land was available for them. The young men in their age-villages were able to obtain sufficient arable land and they were able to establish their economic independence after marriage, if not earlier. Because land was plentiful there was little real concern for security of tenure and disputes over land were both uncommon and unimportant.

By 1955 the basic fact was that there was insufficient land to meet the people's requirements in the alluvial flood plains – as also in many Highland areas – and there remained little or no unused land which could be taken into cultivation.

Inheritance of Land

426 In these earlier and more spacious days, inheritance was chiefly signifi-
427 cant in moveable property – cattle pre-eminently, and goats, money and other goods – and also in the matter of widows and the custody of children. The rules of inheritance were the same in principle for all this property. Inheritance was by groups of full-brothers rather than by individuals, and therefore when a man died, his sons, his widows and his wealth were taken by the eldest surviving full-brother; failing a full-brother, a half-brother would inherit (the eldest surviving at the time). Only when all the deceased's brothers were dead, or if they had moved away and severed practical relations, were the dead man's sons able to take up the property in their own right. Then each group of full-brothers tended to inherit as separate, corporate groups. Although the separations into "houses" was not as strong and notable as amongst some African peoples,[1] yet there was a fairly strong [518] solidarity between full-brothers such that, for instance, their cattle were regarded as a distinct and separate herd, over which the senior brother had principal control and in which half-brothers had little direct rights.

[403] Originally land inheritance did not follow this scheme because it was an unimportant matter, for ideally a man obtained his building plot and arable land at the time of the formal establishment of his age-village, and he preferred if possible to continue to live amongst his comrade. Consequently, when a man died, his brothers and his sons and nephews normally had land of their own and did not wish for more elsewhere, especially as the deceased's land would probably be in another age-village. Out of respect for the dead man and his contemporaries, the chief heir often made a token residence at the deceased's homestead and then, after a brief period, would obtain the approval of the villagers to return to his own village and holding again – perhaps at the cost of some beer or a goat. Sometimes the heir or another member of the lineage might take the opportunity to leave his own village

1. See Wilson, M. 1950, pp. 111ff. [Cf. also my The Family Herds, London, 1958, Chapters 3 and 4, for a description of a strongly integrated Nyakyusa lineage.]

10:Gulliver E-5 (1954-1955) 1958 FN17 Ngoni FN17
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(e.g. for fear of witchcraft) and take up the vacant holding. Nevertheless in general the holding was allowed to lapse and it could be re-allocated by the village headman if need arose; or the elderly widows might be allowed to continue to reside and cultivate as long as they wished.

Once land began to become scarce and valuable this loose system could no longer continue. Junior brothers and half-brothers were no longer content to permit the chief heir to take the whole of the deceased's holding to do with it as he wished, and a systematised division had to be adopted. At first, naturally enough, land was gradually brought under the same system which controlled the inheritance of other property, but this proved inadequate – inadequate not only in itself as being, perhaps, too complicated and conducive of disagreement and quarrelling in so far as land is concerned, but also because that system itself was already beginning to break down under the impact of individualism.

It was felt that because sons assist their father in his homestead and fields and in their turn rely on him for a share in the cash-and-kind profits of peasant farming, therefore they should have priority in the inheritance of their father's property. Their father's brothers, it was said, would in any case already have their own holdings in which likewise their sons have prime interest. Conversely, older Nyakyusa men began to be reluctant to take a brother's land (and other property too) on his death, for fear that, in their turn, control of their own land would descend at their deaths to their brothers' sons rather than to their own sons.

As a result of these attitudes a strong desire arose to modify the customary laws in this matter, and the Rungwe African District Council, with the approval of the Government, has by formal resolution established a new law under which sons may inherit direct from their own fathers.

This law is not universally accepted by the Nyakyusa of the Lake Plains and sons still will sometimes waive their novel rights in favour of the traditional claims of their fathers' brothers. They say that they do not desire to see the break up of the wider lineage which, in effect, this new law encourages; they are also afraid of the anger and jealousy, and thus of the witchcraft, of their uncles. It appears however that the change is accepted by the large majority of the people, for it follows the trend of modern values and kinship sentiments.

The principal heir is now the eldest son, but in general he has little direct control over the property and land of his half-brothers unless they are still young, in which case he has a moral duty to act as guardian and custodian. Sons inherit that part of the paternal holding which had been allocated to their mother by their father in his lifetime, plus any other pieces he might have given to any of them direct as individuals. Each group of full-brothers determines the way in which it divides up its own inheritance. The eldest brother of such a house has a definite obligation to see that his juniors obtain shares of the land in so far as its extent and their number will allow. On the whole it is expected by Nyakyusa that the eldest brother will secure the best holding for himself, as befits his new status, but he cannot deny his younger brothers' claims. Disputes in this matter are not uncommon and the local courts have already shown their determination to support the claims of younger brothers.

Very commonly – though it has not yet crystallised as compulsory social behaviour – a father will grant a portion of his holding to his son on the latter's marriage, or as soon after as the son decides to give up labour migration and settle down. It is thought that a married man should be independent economically and that he should be able to maintain his own household; it is realised that there is most likely to be friction in the relations between father and son, especially in this society where it is traditionally

10:Gulliver E-5 (1954-1955)1958 F167 Ngonde F167
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believed that persons and children should live apart.' In the same way, and for similar reasons, an elder brother tries to make provision for his junior when the latter marries if their father is already dead. The practice of the father is not a legally required one, although it is nowadays increasingly common and sons have begun to expect it: the practice of an elder brother is now legally required in the matter of land and probably always has been in the matter of cattle.

The difficulties are obvious when a man dies and leaves several sons but only a small-sized holding. To date no clear ruling has emerged and unfortunately the African District Council did not deal specifically with such details when introducing the new law. How much land an eldest brother can reasonably retain for himself is perhaps not determinable in practice except in specific relation to the nature, locality and fertility of the holding in question, the plots already held by the man himself, the needs and number of the younger brothers and any holdings they may have, and the location of the villages in which they severally live. There is also plenty of scope for disagreement between half-brothers over portions of the paternal holding which had been retained by the father himself for his own use; over portions allocated to a wife who has borne no sons or whose sons have died, and over permanent trees. The situation is still fluid and there has not yet been time enough for a common and generally acceptable solution to be established. Consequently each group of sons tries to solve its own particular problems in this matter as best it can, torn between old values and new attitudes and needs.

Relations between both full-brothers and half-brothers tend often to be severely tried at times of inheritance. It is not primarily, I think, a case of brothers' greed for valued land tending to overcome bonds of fraternity and co-operation; but it is rather that a father's arable holding is often not able to provide adequate amounts of arable land for each of his sons, and yet they find the very greatest difficulty in obtaining land elsewhere. Already the traditional kin-group comprising the sons and grandsons of a group of full-brothers had begun to break down even before land shortage became serious. Now the group of full-brothers itself tends to be dispersed as men obtain land where they can and it is endangered by dissensions over land rights and land division. Increasingly, it seems, a Nyakyusa man is becoming detached from his brothers and he tends to establish an independent family unit comprising his immediate family alone – that is, himself with his wives and children. We cannot attribute the whole cause of this modern trend to land shortage and economic difficulties, of course, for involved also are new ideas of individualism and of personal effort and reward, and the decreasing need for the customary support of brothers in social, economic and ritual activities.

Younger brothers may, and sometimes do in fact, agree that the paternal holding is already too small for further sub-division, or that the small parts which can be made available to them are scarcely worth having – especially if they live some distance away. On the other hand, the eldest brother may already have obtained a holding in his own village and is therefore willing to make only a small claim or none at all in the interests of his juniors, and he may then divide the inheritance amongst them alone. Usually, as more in the dearth of land, the holding is divided between two or more brothers. It is split into small plots so that each brother has a share of paddy, food-crop and banana land, and there are commonly a half acre or even less in size nowadays. As already mentioned, by a kind of modern equity the local African courts generally favour the claims of the younger

10:Gulliver E-5 (1954-1955)1958 F167 Ngonde F167
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423 all. Field boundaries have lost their earlier fluidity, when a plenty of land did not call for precise demarcation, and the only important changes now result from the land being left vacant or by the inverted division of established holdings by inheritance or anticipatory inheritance.

In brief, then, the high premium given to land because of its modern scarcity value, and the enhanced authority of the headman in land affairs act together to preserve the individual's rights. The residual rights of the village, as group-owner of all land within the village boundary, do not affect the land-holder during his continued residence there.

[423] [691] The commonest type of dispute in land matters arises in inheritance, where a younger brother sues his senior in order to obtain or increase his share of the paternal holding (see page 21). That is to say, in general only where established holdings are being broken up does dispute arise and then, of course, only between the sons of the dead man. Disputes between neighbours in a village seldom are grave enough to be brought to court or even before the headman.

[691] There are also many petty, semi-domestic cases which faithfully reflect the frequently poor relations between Nyakyusa husbands and wives in modern times.[1]

TABLE IV

NYAKYUSA LAND DISPUTES: CIVIL CASES, 1954

691 423 [1961] [1961]

	No. of civil cases	Land cases No.	Land cases %	Population per land case	Density of population
Lake Plains	1,077	196	1	547	385
N.E. Highlands	943	98	1.1	1,045	150
Central Region	1,000	73	1.1	1,041	170
N.W. Highlands	1,200	9	0.8	7,000	201

Based on returns of civil cases in local courts of first instance (W. County) for 1954. In 1955 the percentages were almost exactly the same as in 1954.

Several interesting points are suggested by these figures. Firstly, there is the larger proportion of land cases and the much smaller population per case in the Lake Plains, where land shortage is worst in relation to land demand, not only because of the higher density of population as such, but also because of the relatively larger acreages required for paddy cultivation. Secondly, in the Central Region of Nyakyusa country there is also a high density of population, but nevertheless only a few land cases; this may be attributed to the absence of cash-cropping and the absence, therefore, of a keen demand for land. On the other hand, the relatively numerous cases, or small population per case, in the north-eastern Highlands seem to result directly from a particularly densely populated area (Mwaibaki) where coffee cultivation is long established and the demand for land is exceptionally keen. In other words, as far as the figures for 1954 and 1955 show, there is a direct connexion between land scarcity and the incidence of land disputes before the local courts (i.e. the more intractable disputes which go beyond the village headmen). General observation supports this conclusion. It may be expected in the future, therefore, that such cases will increase unless administrative action is taken to rationalize the inheritance laws with a view to minimizing the area of potential disagreement amongst the sons of a deceased man.

691 423 191 For comparative interest, in so far as they offer some indication, I append here data on other Districts in the Territory where land disputes are common.

1. In 1954, 48 per cent. of all civil cases in the lower courts were marital disputes, including divorce suits, and there was another 10 per cent. of adultery cases, of which nearly a half in the country as a whole

10:Gulliver E-5 (1954-1955)1958 F'NU7 Ngonde F'NU7
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Whereas in the Highland and Central regions the large numbers of cattle – in relation, that is, to the available pasture resources – are causing over-grazing and soil erosion, particularly in the hilly areas so often unsuitable for pasturage, on the other hand in the flood plains there does not appear, at least to the layman, to have been any serious effects on the land. The natural manuring of the paddy fields in the dry season is advantageous. In the Lake Plains it is the cattle rather than the land which suffer, but so far the Nyakyusa have done virtually nothing to meet the new conditions, other than to complain bitterly and fruitlessly.

The Young Men: Land Shortage and Labour Migration

The younger Nyakyusa men find increasing difficulty in obtaining arable land now that there are no longer vacant areas to be taken up, and the older men are no longer prepared to cede their land rights in favour of the younger generation, as they traditionally did. When occasional fields are left vacant, the young men must take their turn with their elders, who themselves are so chronically short of land – and the headmen commonly favour the older villagers with favours as against the younger men. This means that in the high-density regions the majority of men under the age of about 30 years have little or no arable land, nor can they hope for it until the deaths of their fathers. In the congested village sites even their bananas plots may be smaller than is desirable for the provision of the staple food.

The young men, then, is compelled to remain dependent on his father's and elder brother's holding; indeed, headmen often justify their refusals to allocate plots to young men on the express grounds that the latter must share their elders' fields. Thus the valued independence of the young Nyakyusa is severely restricted and it seems that tensions and difficulties are beginning to arise between fathers and sons, and between brothers, because of this. Sons are blamed for not doing their fair share in the family cultivation; fathers are blamed for giving their sons inadequate shares in crops and crop incomes. It will be remembered that one of the fundamental principles underlying Nyakyusa society and its age-village organization is the spatial segregation of parents and children (*cf.* page 22). Now they are inevitably being put into competition with one another over inadequate fields in a single holding.

The young men are severely restricted, if not altogether cut off, from the opportunity to cultivate paddy in their own fields and thus to earn their incomes at home, for paddy-growing is the only way of earning a living in the Lake Plains. Yet it is these younger men whose money demand is greatest, to buy clothing, bicycles and other store-goods, and to buy cattle for marriage payments. They are therefore strongly attracted by the ready opportunities for taking up wage-labour abroad, in the mines of the Rhodesias and South Africa where wages are high (see Gulliver, 1955).

With the best will in the world, when, as in the very high-density region, the average holding is little more than an acre and a half – when, that is, the elder men themselves desire larger acreages for their own cultivation needs – it is not possible for a father to allow his son to take large shares in his fields. In some cases a father does give outright to his adult sons strips of his holding, but plots so provided are necessarily small. Quite as frequently a father does not consider it possible to break up his holding in his own lifetime, and sons are expected to assist in the common cultivation and to continue merely to be given a share in the family proceeds at harvest. It is not surprising, therefore, that very large numbers of young men from the Lake Plains migrate abroad to work. Only about one man in 20 has not been away at all before the age of about 25 years. Much higher proportions of men and larger numbers absolutely are temporarily absent from the Lake

13:Lehmann E-5 (1939)1951 F'017 Ngonde F'017
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and other duties applicable to a girl after marriage. The practical instruction takes place in or before a special hut in the village under the leadership of the *chesepo* (*cesepo*). The girl is admonished by the *cesepo* to obey her parents without any delay, to perform the commands of her mother immediately, e. g. to clean the hut, and especially to show obedience when guests are present. Should the mother blame her daughter unjustly, she should not reply. (The girl had been blamed in the earlier discussion that she had not swept the hut when her mother required her to do it). Then her duties and conduct towards her future husband were inculcated. As a wife she must never accept anything from the hands of her husband without kneeling and stretching out both hands, and turning away her face with eyes cast down. Also as a wife she must not hold her head up

Some of the drummers.

when she is addressed by a man. As a wife she must be anxious to prepare her husband's meal always at the right time, that means, it has to be ready when her husband returns from the field. If she sees her husband coming from the field, then she has to go to meet him, and take his hatchet from him. Should her husband scold her, she is not to reply; but she may ask her neighbours for help. It is one of her duties to take care of the regular cleaning of the hut[1]. The ashes must always be removed by her from the fireplace. If there are only a few ashes on the fireplace she must remove them with her hands[2].

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[1] The place near the house where the *cesepo* are thrown down is called *cesepelilo*.

[2] Cf. *Marbenzo*, p. 51, who refers to such moral instructions connected with puberty customs, probably at *Kawonga*; cf. *Fülleborn*, p. 288 (*Nygonde* parts).